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Page 1 of 2

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/785,395	02/23/2004	Walter D. Mieher	KLAIP117X1B/P1151/3

CONFIRMATION NO: 6514

022434  
BEYER WEAVER & THOMAS LLP  
P.O. BOX 778  
BERKELEY, CA 94704-0778

## FORMALITIES LETTER



\*OC000000012693253\*

Date Mailed: 05/18/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/23/2004 MMEKONEN 00000038 10785395

FILED UNDER 37 CFR 1.53(b)

01 FC:1001 770.00 OP  
02 FC:1051 130.00 OP

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

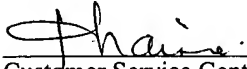
- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:Total additional fee(s) required for this application is **\$900** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

*A copy of this notice MUST be returned with the reply.*



~~Customer Service Center~~

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Mieher, et al.

Application No.: 10/785,395

Filed: February 23, 2004

Title: APPARATUS AND METHODS FOR  
DETECTING OVERLAY ERRORS USING  
SCATTEROMETRY

Attorney Docket No.:  
KLA1P117X1B/P1151/3

Examiner: Unassigned

Group: 2877

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail on July 19, 2004 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

Signed: \_\_\_\_\_

Natalie Morgan

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed herewith is the executed Declaration and Power of Attorney and executed Assignment in response to the Notice to File Missing Parts of Application--Filing Date Granted mailed February 23, 2004. Please file these documents in the subject application.

Enclosed is our Check No. 9369 for \$940.00 in payment of the filing fee, excess claims fee, surcharge, and -month(s) extension fee (if any) for a Large Entity. The Commissioner is authorized to charge any additional fees that may be due to our Deposit Account No. 500388 (Order No. KLA1P117X1B/P1151/3).

Respectfully submitted,  
BEYER WEAVER & THOMAS, LLP

Mary Ramos Olynick  
Registration No. 42,963

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